

DRAFT Minutes
Certification Standards Review Council Meeting
February 17, 2006

Attendance:

Council Members Present: George Bowman, Katie Edgington, Steve Jossart, Paul Junio, Kurt Knuth

Council Members Absent: Randy Herwig, Marcia Kuehl

DNR Staff Present: Greg Pils, David Webb

Agenda Items:

I. Check-in and Agenda Repair

- A. Edgington not present at start – delayed in traffic (joined later). Kuehl (family illness) and Herwig (village snow emergency) excused.
- B. No agenda repairs proposed.

II. Review and Approval of Draft Minutes from November 17, 2005

- A. Junio requested correction of the WELA website address (should be “www.wislabs.com”).
- B. Council agreed that level of detail in meeting minutes to date is reasonable.

III. Election of 2006 Council Officers

- A. Deferred to future meeting (three members’ terms expire 7/1/06).

IV. FY 2006 Audit Totals and Program Audit Status

- A. Pils presented to the Council reports that listed the most recent audits and corresponding report dates and closure status of all active laboratories. Pils also noted that he neglected to prepare a summary of quarterly totals for the meeting, but will prepare and electronically deliver such a report to council members with the draft meeting minutes.
- B. Program goals include audits of each facility every 3.5 years, reports issued within a month of the audit date, and audits closed within one year of the audit date. With a handful of exceptions, the program is consistently meeting these goals. Bowman commended the program for achieving and maintaining for the past few years a high level of performance in these areas.

V. Third Quarter Variance Requests

- A. Pils reported no variance requests were reviewed since the last meeting. Webb noted that he expected to receive a request in the near future and would discuss the details at the next council meeting.

VI. Update: Dissolved Oxygen Measurement by Luminescence Sensor

- A. Pils distributed to council members copies of the memo that EPA’s Director of Analytical Methods, William Telliard, has issued to EPA Regions recommending that they grant interim

DRAFT Minutes
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February 17, 2006

approval of ASTM International D 888-05 for measurement of dissolved oxygen (DO) in wastewater and for measuring DO in approved methods for BOD. The method in question uses luminescence technology to detect dissolved oxygen and offers certain advantages not offered by the technology cited in currently approved methods. Bowman distributed a vendor fact sheet that offers further explanation of the technology and its advantages.

- B. Pils emphasized that the memo is not permission for labs to begin using this method. Rather, it recognizes approval of an Alternate Test Procedure application that ASTM submitted for the method they developed for this technology, and recommends only that EPA Regions grant approval to labs within those regions to use the method. Labs cannot begin using the method until granted approval by their respective EPA regional office.
- C. Pils has had conversations with Region 5 in which the region expressed that, although they have no concerns about the technical veracity of this method, there are doubts that federal rules provide EPA the authority to extend "global" approval of one applicant's ATP to other labs who haven't submitted their own ATP application (such applications and approvals have historically been submitted and approved on an applicant-specific basis). Regional representatives are scheduled to discuss the matter with EPA legal counsel in the near future, and will contact Pils soon thereafter to apprise him of their consensus. Pils emphasized that, regardless of the outcome of this call, labs interested in using this method may right now submit to EPA their own luminescence technology ATP application for DO testing, which would most likely be approved.
- D. Bowman asked if it would be possible for the Wisconsin certification program to issue a variance allowing Wisconsin-certified/registered labs to use this method without submitting an ATP. Pils responded that since EPA has not yet promulgated the method in federal rules, such an action would likely constitute the state offering a variance to federal rule requirements, which is an action that exceeds the state's delegated authority. Pils also offered that such a proposal is further complicated by the fact that this method uses a completely new technology than appears in any promulgated method.

VII. NR 149 Revision Status

- A. David Webb informed that Council that five public hearings have been scheduled for the end of March and first week in April. The hearings will take place in Eau Claire, Wausau, Waukesha, Dodgeville, and Green Bay. Stakeholders are encouraged to attend and provide constructive comments. The program is sending letters to all certified and registered labs providing the dates, times, and locations of hearings, as well as instructions for submitting comments.
- B. Webb further explained that the period time of from the end of the comment period through completion of the final draft rule will depend significantly on the number, nature, and tone of the comments the program receives; and that it is likely that the final draft will vary to a degree from the current draft. Once the final draft is complete, it will be presented to the Natural Resources Board for approval, and eventually to the Legislature for review and ultimately promulgation.
- C. Paul Junio announced that WELA will sponsor an information session on the new rule on March 9 at the East Madison Comfort Inns and Suites. Lab Certification Program staff will provide a presentation outlining the provisions of the draft rule and answer questions. The session will be open to all interested parties and WELA plans to send letters of invitation to several stakeholder groups. There will be no attendance charge.

DRAFT Minutes
Certification Standards Review Council Meeting
February 17, 2006

VIII. Training

- A. Webb announced his intention to “formalize” training as a fundamental component of the laboratory certification program. The program will dedicate more time to training development and presentation, and is again including \$15,000 in the program budget for training and outreach. Webb added that “training” could include a number of things, from technical seminars to guidance materials such as an updated Yellowbook, etc; and proposed summarizing each year’s training activity in a report to stakeholders and DNR senior management.
- B. George Bowman informed the council that he and Rick Mealy, in conjunction with the Wisconsin Wastewater Operator’s Association, will present another round of BOD training sessions in 6 locations across the state, and that all certified and registered labs are invited to attend.
- C. Katie Edgington recommended working with the Wisconsin Water Association and similar organizations to sponsor future training sessions and conferences, emphasizing that these organizations may agree to cover the costs of rooms, meals, etc. for sessions.
- D. Council members proposed and discussed ideas for several training topics, including:
- Continued BOD training
 - Another ICP session
 - Data evaluation
 - Low-level mercury
 - Ion chromatography
 - Graphite Furnace AA Spectrometry
 - ICP/MS
 - LOD/LOQ development and theory
 - Basic laboratory practices
 - Proper sample collection techniques
 - Test procedures other than those for which DNR administers certification/registration (e.g. residual chlorine, turbidity, etc.)
- D. Bowman recommended compiling and prioritizing these ideas and using them as the basis of a formal training plan. Pils agreed with this recommendation, stating that a formal training plan is important if the program is to institutionalize training and outreach as a fundamental component of the laboratory certification program. Pils offered that such a plan could consist on an annual basis of: 1.) A standard rotation of recurring sessions for which there seems to be continuous demand (e.g. BOD, Phosphorus and Ammonia, Lab Basics, etc.); 2.) One or two sessions on the “big issues” of a given year (defined by the council or input from stakeholder groups such as WELA, WWOA, WWA, etc.) such as ICP or low-level mercury sampling and analysis; and 3.) Presentations and workshops at seminars, conventions, and conferences such as FET’s annual Environment conference, WWOA’s annual Government Affairs Seminar, etc. Pils also echoed Webb’s previous ideas of supplementing these initiatives with printed materials and guidance, and summarizing each year’s training activity in an annual report to stakeholders and senior DNR management as a means of documenting program performance and achievements and maintaining a record of how training-related spending.
- E. Webb proposed and the Council agreed to meet again by conference call in the next 1-2 months to further discuss the training notions presented and move toward crafting a training strategy for the coming year. Pils will provide a summary of the discussion to Council members and schedule a conference call prior to the next quarterly meeting.

DRAFT Minutes
Certification Standards Review Council Meeting
February 17, 2006

IX. Other Program and DNR Business

- A. Webb and Pils announced that the City of Janesville Wastewater Treatment Lab and Village of Amherst Wastewater Treatment Laboratory are the recipients of DNR's annual Registered Laboratory of the Year Awards. Secretary Hassett will present each laboratory with their awards at the April meeting of the Natural Resources Board.
- B. Webb announced that Amy Smith, Administrator of DNR's Division of Enforcement and Science, is extremely pleased with the job that Rick Mealy and contributing staff have done with the program's "Lab Notes" newsletter.
- C. Pils reminded the Council that the second terms of Junio, Bowman, and Kuehl all expire July 1, 2006, and asked that Council members submit to him the names of any candidates they may have for filling these seats.

X. Council Member Issues

- A. Edginton requested to be included on the "Lab Notes" mailing list.

XI. Checkout and Next Meeting Date

- A. The Council set a tentative date of May 18 for their next meeting, and agreed to meet before then by conference call to further discuss training for the coming year.